

Memorandum

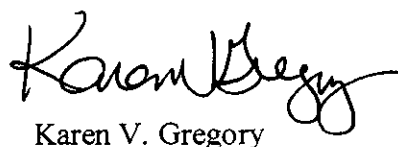
TO : Administrative Law Judge

DATE: August 5, 2011

FROM : Secretary

SUBJECT : Informal Docket No. 1923(F) – The Eagles Wings Foundation v. Chatelain Cargo Services

The attached Informal Docket was filed with the Office of the Secretary and was referred to the Office of Consumer Affairs and Dispute Resolution Services on June 10, 2011. On July 15, 2011, Respondent timely gave notice that it does not consent to determination of the claim under subpart S, and also filed a Motion to Dismiss the Complaint based upon the Federal Maritime Commission's Matter Jurisdiction. Therefore, Informal Docket No. 1923(I) has been changed to Docket No. 1923(F) – The Eagles Wings Foundation v. Chatelain Cargo Services, and is being referred to the Office of Administrative Law Judges.



Karen V. Gregory

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Memorandum

TO : Karen V. Gregory, Secretary **DATE :** August 3, 2011

FROM : Tara E. Nielsen, Settlement Officer

SUBJECT : Informal Docket No. 1923(I)- The Eagle Wings Foundation v. Chatelain Cargo Services

By Memorandum dated June 10, 2011, the Office of the Secretary provided this claim to the Alternative Dispute Resolution Specialist for adjudication under Subpart S, 46 C.F.R. § 502.301-305. On June 23, 2011, a Notice of Filing of Complaint and Assignment was served on the parties by the appointed Settlement Officer. On July 15, 2011, Respondent Chatelain Cargo Services submitted its response refusing to consent to this claim being informally adjudicated under subpart S. Pursuant to Commission Rule 304(f), this proceeding is hereby referred to the Office of the Secretary for appropriate reassignment under subpart T, 46 C.F.R. § 502.311-321. Attached is a copy of Respondent's correspondence refusing the informal procedure under Subpart S and a copy of Respondent's Verified Response in Opposition to Small Claim Informal Adjudication and Incorporated Motion to Dismiss the Complaint based upon the Federal Maritime Commission's Lack of Jurisdiction.


Tara E. Nielsen

CASSIDY BLACK, P.A.

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**Board Certified in Admiralty &
Maritime Law by the Florida Bar*

July 15, 2011

VIA FED EX

Tara E. Neilsen
Settlement Officer
Federal Maritime Commission
Room 932,
800 North Capitol Street, N.W.
Washington, D.C. 20573-0001

RE: The Eagles Wings Foundation v. Chatelain Cargo Services
Informal Docket No.: 1923(1)
Our File No: 5152/MCB

Dear Ms. Neilsen,

Enclosed please find Respondent's Verified Response In Opposition to Small Claim Informal Adjudication and Incorporated Motion to Dismiss the Complaint based upon the Federal Maritime Commission's Lack of Jurisdiction. As set forth in the Response, Respondent asks that the Federal Maritime Commission dismiss the claim against Respondent since this alleged breach of contract action should be brought in a court of law with jurisdiction over the matter.

Should you have any questions or concerns, please do not hesitate to contact us.

Very truly yours,



KATE S. GOODSSELL

KG/
Encl.
5152/L-MDismiss
cc: Scott Lewis, The Eagles Wings Foundation (via Fed Ex)

TO: Tara Nielsen

DATE: June 20, 2011

FROM: Director, Office of Consumer Affairs and Dispute
Resolution Services.

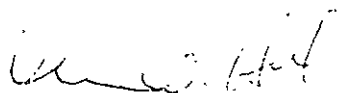
SUBJECT: Notice of Assignment of Informal Docket No. ~~1923~~(I)

Pursuant to 46 CFR 502.301(b), I am appointing you to be

The Settlement Officer in Informal Docket No. 1923(I): The Eagles Wings
Foundation v. Chatelain Cargo Services

Please issue a Notice of Filing and Assignment as soon as possible.

Thank You,



Vern Hill

Memorandum

TO : Alternative Dispute Resolution Specialist

DATE: June 10, 2011

FROM : Assistant Secretary

SUBJECT : Informal Docket No. 1923(I) - The Eagles Wings Foundation v. Chatelain Cargo Services

Attached are two copies of the referenced Informal Docket submission. Please
issue an appropriate Notice of Assignment.



Rachel E. Dickon

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TO: (PLEASE PRINT) PHONE ()

Tara Nelson, Settlement Officer

Federal Maritime Commission

Room 1321 800 North Capitol St.

Washington, D.C. 20573-0201 NW

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